

JUDGE JONES

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

BASSIM FARDOS,

Defendant.

SDNY DOCUMENT ELECTRONICALLY FILED AUG 28 2008 INFORMATION
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08 Cr.
08 CRIM 817

COUNT ONE

The United States Attorney charges:

1. From in or about August 2003, up to and including in or about November 2007, in the Southern District of New York and elsewhere, BASSIM FARDOS, the defendant, and others known and unknown, unlawfully, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, to violate Section 2320 of Title 18, United States Code.

2. It was a part and an object of the conspiracy that BASSIM FARDOS, the defendant, and others known and unknown, unlawfully, intentionally, and knowingly would and did traffic and attempt to traffic in goods and services and use counterfeit marks on and in connection with such goods and services, in violation of Title 18, United States Code, Section 2320.

Overt Acts

3. In furtherance of said conspiracy and to effect the illegal object thereof, the following overt acts, among

others, were committed in the Southern District of New York, and elsewhere:

a. In or about February 2007, a co-conspirator not named as a defendant herein ("CC-1"), sold counterfeit clothing to a confidential informant from a store located in New York, New York.

b. On or about May 16, 2007, BASSIM FARDOS, the defendant, had a telephone conversation with a co-conspirator not named as a defendant herein ("CC-2") relating to the trafficking of counterfeit goods.

(Title 18, United States Code, Section 371.)

COUNT TWO

The United States Attorney further charges:

4. From in or about August 2003, up to and including in or about June 2007, in the Southern District of New York and elsewhere, BASSIM FARDOS, the defendant, and others known and unknown, unlawfully, intentionally, and knowingly trafficked and attempted to traffic in goods and services and knowingly used counterfeit marks on and in connection with such goods and services, to wit, the defendants trafficked in counterfeit clothing and other merchandise bearing various urban and hip-hop style designer labels.

(Title 18, United States Code, Sections 2320 and 2.)

COUNT THREE

The United States Attorney further charges:

5. From in or about August 2003, up to and including in or about November 2007, in the Southern District of New York and elsewhere, BASSIM FARDOS, the defendant, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

6. It was a part and an object of the conspiracy that BASSIM FARDOS, the defendant, and others known and unknown, knowing that the property involved in a financial transaction represented the proceeds of some form of unlawful activity, unlawfully, willfully and knowingly would and did conduct and attempt to conduct such a financial transaction which in fact involved the proceeds of specified unlawful activity, to wit, trafficking in counterfeit goods in violation of Title 18, United States Code, Section 2320, and narcotics trafficking in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A), knowing that the transaction was designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

(Title 18, United States Code, Section 1956(h).)

FIRST FORFEITURE ALLEGATION

7. As the result of committing the conspiracy offense in violation of Title 18, United States Code, Section 371, alleged in Count One of this Information, and the counterfeit clothing trafficking offense in violation of Title 18, United States Code, Sections 2320 and 2, alleged in Count Two of this Information, BASSIM FARDOS, the defendant, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of those offenses, including but not limited to at least \$1,000,000 in United States currency, in that such sum in aggregate is property representing the amount of proceeds obtained as a result of those offenses, for which the defendant is jointly and severally liable (the "Money Judgment").

SECOND FORFEITURE ALLEGATION

8. As the result of committing the counterfeit clothing trafficking offense in violation of Title 18, United States Code, Sections 2320 and 2, alleged in Count Two of this Information, BASSIM FARDOS, the defendant, shall forfeit to the United States, pursuant to 18 U.S.C. § 2320(b)(3)(A): (i) any property constituting or derived from any proceeds which the defendant obtained, directly or indirectly, as the result of the offense charged in Count Two; (ii) any of the defendant's property used, or intended to be used, in any manner or part, to

commit, facilitate, aid, or abet the commission of the offense charged in Count Two; and (iii) any article that bears or consists of a counterfeit mark used in committing the offense, including but not limited to at least \$1,000,000 in United States currency, in that such sum in aggregate is property representing the amount of proceeds obtained as a result of those offenses, for which the defendant is jointly and severally liable (the "Money Judgment").

THIRD FORFEITURE ALLEGATION

9. As the result of committing the money laundering offense in violation of 18 U.S.C. § 1956, alleged in Count Three of this Indictment, BASSIM FARDOS, the defendant, shall forfeit to the United States pursuant to 18 U.S.C. § 982(a)(1), all property, real and personal, involved in the money laundering offenses and all property traceable to such property, including but not limited to limited to at least \$1,000,000 in United States currency, in that such sum in aggregate is property representing the amount of proceeds obtained as a result of the money laundering offense for which the defendant is jointly and severally liable (the "Money Judgment").

Substitute Asset Provision

10. If any of the forfeitable property described in the above forfeiture allegations, as a result of any act or omission of the defendant(s):

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant(s) up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 981, 982, 1956, and 2320, and Title 28, United States Code, Section 2461)



MICHAEL J. GARCIA
United States Attorney

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INFORMATION

08 Cr. (BSJ)

(Title 18, United States Code,
Sections 371, 1956(h), 2320 and 2)

MICHAEL J. GARCIA
United States Attorney.
